

Application No. 10/517,678  
Amendment dated February 6, 2009  
After Final Office Action of September 8, 2008

Docket No.: 31608-210847

### **AMENDMENTS TO THE CLAIMS**

1. **(Previously presented)** A thermoplastic reinforcing material for the shoe production, in the form of a hot-melt adhesive/filler material compound, characterized in that it comprises
- a) one or several hot-melt adhesive(s) in amounts of 50 to 95 weight %, with MVR values (measured at 100 °C, 21.6 kg based on DIN ISO 1133) ranging from 2 to 300, preferably from 10 to 20 cm<sup>3</sup>/10min and
  - b) one or several filler materials in amounts of 50 to 5 weight %, which do not dissolve in the hot-melt adhesive and that the hot-melt adhesive/filler material compound simultaneously meets the following parameters by having:
    - 1) an MVR value between 2 and 6, preferably between 3 and 5 cm<sup>3</sup>/10min;
    - 2) a surface stickiness/tack/ measured according to DIN EN 14610 at 65°C of at least 10N to maximally 60N, preferably 15N and especially preferred 30N;
    - 3) a bonding value/peeling strength/ toward top materials and linings of at least 30 N/5 cm, measured on the basis of DIN 53357;
    - 4) a maximum longitudinal extension of 25%, preferably less than 20%, measured after 5 minutes in the hot cabinet at temperatures of 90°C.
2. **(Currently amended)** The thermoplastic reinforcing material for the shoe production in the form of a hot-melt adhesive/filler material compound as defined in claim 1, characterized in that the component a, the hot-melt adhesive, comprises a mixture of I[.]) a linear polyester in amounts of 75 to 95 weight % and/or a thermoplastic polyurethane in amounts of 75 to 95 weight

%, together with 2[[.]] ethylene vinyl acetate copolymers in amounts of 0 to 25 weight % with a vinyl acetate content of 10 to 40 weight %, preferably 15 to 25 weight % and that the filler material, in amounts of 50 to 5 weight %, is selected from the group of inorganic, mineral filler materials, organic plant filler materials, plastic materials and mixtures thereof, which are present in the form of spherical, polyhedral particles with a particle-size distribution between 45 and 1000 $\mu$ m, preferably 45 to 500 $\mu$ m, or in the form of fibers with a length of 45 to 1000 $\mu$ m, preferably 45 to 500 $\mu$ m.

**3. (Original)**           The reinforcing material as defined in claim 1, characterized in that the filler material is wood flour with a particle-size distribution of 45 to 500 $\mu$ m.

**4. (Previously presented)**           The reinforcing material as defined in claim 1, characterized in that the filler material is chalk with a particle size distribution of 10 to 45 $\mu$ m.

**5. (Original)**           The reinforcing material as defined in claim 1, characterized in that the surface stickiness/tack/ of the hot-melt adhesive/filler material compound has a value of 25 to 45N.

**6. (Original)**           The reinforcing material as defined in claim 1, characterized in that the longitudinal extension of the hot-melt adhesive/filler material compound is less than 20%, measured at temperatures of 90°C.

**7. (Original)**           A method for producing the thermoplastic reinforcing material for the shoe production in the form of a hot-melt adhesive/filler material compound as defined in claim 1,

characterized in that the hot-melt adhesive is melted on and that the filler material is added to the hot melt by means of a metering device and is worked in by stirring and kneading, that the moisture and exiting gases are suctioned off with a degassing device, that the resulting plastic mass is subjected to another vacuum degassing, and that the plastic mass, pre-treated in this way, is conveyed away for further processing.

**8. (Original)**           The method for producing the thermoplastic reinforcing material for the shoe production in the form of a hot-melt adhesive/filler material compound as defined in claim 1, characterized in that the hot-melt adhesive/filler material compound is granulated, that the granulated material is melted again and is then processed further by means of extrusion or calendering to form a flat foil.

**9. (Original)**           The method for producing the thermoplastic reinforcing material for the shoe production in the form of a hot-melt adhesive/filler material compound as defined in claim 1, characterized in that the hot-melt adhesive/filler material compound is processed further as raw material into reinforcing parts, using injection-molding machines.

**10. (Currently amended)**           A fine powder having a particle-size distribution of 50 to 1000  $\mu\text{m}$  for producing a flat foil ~~which is used to finish or complete the reinforcing parts~~, wherein the fine powder is formed from a hot-melt adhesive/filler material compound as defined in claim 1.

**11. (Currently amended)** A three-dimensional reinforcing part formed ~~[[form]]~~ from a fine powder having a particle-size distribution of 50 to 1000  $\mu\text{m}$ , which is ~~[[fromed]]~~ formed from a ~~[[not-melt]]~~ hot-melt adhesive/filler material compound as defined in claim 1.

**12. (Currently amended)** Shoes comprising a reinforcing material as defined in any one of claims 1 to 11.